

9 Trade in America 18.

SOME

CANDID SUGGESTIONS

TOWARDS

ACCOMMODATION OF DIFFERENCES

WITH

A M E R I C A:

OFFERED TO

CONSIDERATION OF THE PUBLIC.

Scire leges, non hoc est verba earum tenere, sed vitor et
potestatem. D. 1. 3. 17.

L O N D O N:

PRINTED FOR T. CADELL, IN THE STRAND.

MDCCLXXV.

SOME

CANDID SUGGESTIONS

TOWARD

ACCOMMODATION OF DIFFERENCES

WITH

A M E R I C A

CITIZEN

CONSIDERATION OF THE PUBLIC

AND THE INTERESTS OF THE NATION



PRINTED FOR T. C. BAKER, THE STRAITS

MEDICAL

S O M E

CANDID SUGGESTIONS, &c.

THE News Papers inform us, that the unhappy difference with America, is to be taken under consideration soon after the Holidays; and the resolution of the late Congress at Philadelphia having now appeared, I have employed some serious thoughts upon this most important subject, and shall briefly offer to the public the substance of them, towards an accommodation, for which every good man must most earnestly wish; and if it can be accomplished in a friendly way, it is certainly the most capital object at present, or that possibly can ever occur, for parliamentary consideration.

It is strange but true, of the generality of human nature, that almost in all cases,
like

like almost all sectaries, they make almost all things, even the Deity, to suit their own prejudiced notions, and wishes, or their private pursuits or resentments; like Athanasius and Arius, joint candidates for the bishoprick of Alexandria, without which rivalry, we probably should never have heard of their very extreme opposite doctrines. The profits annexed to views, much influence, if not create their different systems; and too often zealous to madness to support and extend them. Hence, so many quarrels and so much bloodshed. They are like fanatics, who create monsters by their own imaginations. It is not possible otherwise to account for the unhappy differences, which now impair and disgrace the different parts of the British empire. How strangely is the word Patriotism tortured and misapplied; they make all things adapted to their own views, by which they see, or pretend to see every thing, and require all to do so; but the cool, humane, and good-natured, entertain more liberal and just sentiments.

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The colonists profess, and I hope truly, special regard for Scripture; let them candidly consider the xiiith chapter of the Epistle to the Romans, and 1 John iii. and x. In this the children of God are manifest, and the children of the devil: *Whosoever doth not righteousness, is not of God.* Evasive fomentations and misapplications will not justify at the great tribunal.

I shall not at present enter into the arguments, whether the British legislature has by our own and American constitutions, legal, or just and rational authority over all the colonies connected with Britain; or the power of the crown to grant charters to exempt any of them from such subordination: *Privatorum conventio jure publico non derogato*; no grant from the crown can exempt others from a subjection, from which even self is not free. All grants are contracts by law; the design of the grant and mutual performance are essential for its subsistence. *Unius cujusque contractus, initium spectandum est et causa.* In dubiis est, nihil facile multandum est ex solennibus tamen ubi evidens acquitas poscit

poscit subveniendum est. Semper in stipulationibus et in ceteris contractibus id sequitur quod actum est, et si non appareat quid actum est, sequitur quod in regione, in qua actum est frequentatur.

Nor shall I examine the consistence of true patriotic principles, ecclesiastic or civil, for liberty and property, asserting such power in the crown; or the compatibility of claiming the privileges of British subjects, and rejecting the authority of the legislature, to which all British subjects, and even the King is subject. *Cupes est comodum, ejus debet esse incomodum.* Clear justice as well as law establish this. Nor shall I at present say on what side, betwixt Britain and America, the balance and advantage of commerce is, nor which of them will be most losers by the intended non-importation and exportation; but as all do and must agree, that both will be great gainers by hearty good agreement; which benefit may, by proper amicable cultivations, be brought in time to an astonishing grandeur to both; and as both must be great sufferers by discord and enmity,

enmity, which may in time be ruinous to one or both; I shall offer to consideration, some hints towards a happy agreement. Others may suggest more practicable means, as these hints may be, and I am persuaded are deficient, and by some may be thought Utopean.

Where discords arise, private or public, it is usually found by cool, impartial judges, that each side is to blame, and that each act upon opposite extremes. Any extreme is very seldom, if ever in the right. Moderation, and the happy medium, usually is, at least has best chance to be in the right. Suppose then, there be absolute oblivion enjoined by both sides, of all past mistakes on either side; *Humanum est errore*; and all abstract questions about powers, subordination, independence, taxations, external or internal regulations, &c. &c. about which neither divines or lawyers will ever agree. There never was unanimity in even any general council. Let all such questions be avoided; but let all agree, and by acts in respective assemblies, without any retrospect, make moderate,

derate, rational establishments, that may most effectually contribute to promote general and mutual amity, security and prosperity, and unite, as much as circumstances will permit, the privileges and interests of all, and to be reciprocally useful, so as to make one happy, great and safe whole.

To give and take reasonably, adapted to reciprocal circumstances, is the most likely way to accomplish this happy state. Parents and children must do so to support reciprocal affections, and natural, rational and beneficial connections. Both sides claim this connection of parent and children; all are clearly one family, and equal privileges and advantages, and even burthens and distresses, should as much as possible extend to all, with some respect, *certainly due*, to a parent, especially if in distress or declining state, such connections must produce very small regard or effect, if either side hesitate to yield small benefits, or suffer small inconvenience, or even small hurt; or if by stiff narrow aims for themselves, they obstruct large advantages,

or

or occasion great hurt to the other—*Jure natura equum est, neminem cum alterius detrimento fieri lucupletio rem.* The security, material benefit, nay dignity and general credit in the eyes of the world of the parent, must be of benefit to the whole family; and therefore merits some consideration and condescension. This seems to be promised in the resolves of the Congress, which, if adhered to and faithfully executed, would accomplish a hearty union, and be consistent in actions to words. The above particulars, as also what follows, will to every *unprejudiced and right mind and heart*, be admitted as clear axioms and rules for conduct, and would facilitate an establishment for the future happiness and prosperity of the whole family; and I must say again, with people *of right minds and hearts*, will prevent even some possible provocations or resentments, or narrow self-interested considerations, private or public, from unhappily obstructing the general good; the parent should consider, *patria potestas, in pietate debet non in atrocitate consistere.* And the children should consider the respect due from them, by all

laws divine and human, and the dreadful crime of *parricide*, which is not confined to murder, but extends to every material injury. To smite or curse the parents is death by Jewish law; all gross disobedience and disrespect is execrated and punished by all nations, ancient and modern. Anciently, the gross transgressor was drowned with a dog, cock, viper and ape, as emblems of malice and mischief to their own kind and connections, though the ancient power with parent of life and death is not now allowed, all nations admit moderate correction upon transgression; of which, in most cases, the parent is judge. But *in redubia, benigniorum interpretationem sequi, non minus iustus est quam tutius.*

The united provinces, Swiss cantons, and other associated communities, for common security and benefits, have with experienced good effect, proportioned respective benefits and burthens for the common good.

Their connections and interests, and reciprocal ties, are not near so intimate, natural

tural or important as ours; what then, *but bad hearts or weak heads*, or being dupes to hellish factious designing imps, for bad private selfish purposes, can prevent truly amicable settlements betwixt us.—If from the variable state of things, especially amongst colonies, not yet attained to compleat establishment, proper proportions cannot presently be fixed for perpetuity; suppose a fixed number of delegates from each province in America, chosen by respective assemblies, meet each fixed number of years; a fixed number of Peers and Commons, chosen by respective Houses of Parliament at London, to establish respective proportions of taxes, and other burthens of sailors and soldiers, &c. and for other regulations which affect the whole family; reserving to each assembly, what regulations, taxes, &c. are peculiar to each; and that each assembly, as best acquainted with peculiar circumstances, fix the number and persons of levying the money and men, &c. with certain means to make the *quotas* effectual, and clear remedies in case of deficiency; the meeting at London is but a small and reasonable
pre-

preference, and compliment to the acknowledged parent—*Vani timoris justa excusatio non est.*

Reciprocal preferences of first tender of reciprocal commodities, to be established cheaper, or more free of public burdens than to foreigners, such as would effectually operate for reciprocal first friendly tender; and prevent necessity of any restraints in commerce; and for the same purpose, effectually charge foreign goods with such duties, as to secure preference to reciprocal goods of any of the family; Ireland included with Britain; with strong resolves, and severe penalties against all smuggling; these would materially contribute to lasting union and friendship, and beneficial to the fair trader. Public resolutions should be enacted by all, not to impose taxes or regulations to effect each other, different from what affects themselves, at least to avoid it as much as possible; nor what will materially hurt each other, though it affects themselves.

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There should be no provincial laws incompatible with the English; juries should operate universally, as in England—*The King acknowledged by the colonies as their sovereign*, should name Governors and Council, and all supreme Judges, the last to be for life; each province to pay to all of them fixed salaries, according to present abilities; to be varied at proposed periods, as proportions of burdens may be varied. All inferior magistrates, as Sheriffs, Justices, &c. to be named as in Britain and Ireland; if any of the colonies judge necessary to levy forces for sea or land, for their own security, against any enemies, natives or foreign, to be paid from common stock, as safety of each is benefit of all. Reciprocal premiums and encouragements for improvements for the general good, to be at respective expence; but avoid as much as possible such as may interfere with, or hurt each other, agreeable to foregoing rational, friendly maxims. Peculiar encouragements for improvements of articles, that may rescue any of the family from foreign dependence for necessaries, or even luxuries; such as
 naval

naval stores, or necessaries for the parent country, as rough materials for manufactures, as silk, cotton, flax, hemp, dyes, iron, &c. and especially wool from a brood of Spanish sheep, if it will do in America, now threatened to be prohibited exportation from Spain; also ashes of all sorts for bleaching, &c. for which vast sums go yearly from Britain and Ireland to foreigners, though American ashes are stronger and cheaper; and Americans may easily learn the process of pearl ashes, now got chiefly, almost wholly from Hungary; our money thereby only go to our own colonies, to their great profit and ours; or luxuries of any kind, as wines, fruits, spices, perhaps tea in time, since many nations will have it; and various minerals, drugs, &c. for all which America is specially capable, and should be largely aided, even specially by parent country. By such means all their lands and hands might have full employ, without injury to parent country.

It must, in the eye of the whole world, be unpardonable, perverse stubbornness,
or

or the highest folly, to hurt, and so unnecessarily, the parent and themselves. The Congress say, they have never refused compliance with requisitions from Britain for men or money, why then exact from them in a harsh, disagreeable, though it was not illegal way, by taxing them without their consent; and that parliament have acknowledged their readiness, and have rewarded it. This last proves there is no cause to distrust parliament; and as to the rest, it would not be derogatory in us, to try requisitions for money or men, before severities, or what the colonies think so; because, if they by all their assemblies, oblige themselves to comply with such requisitions, it is the strongest possible acknowledgment of subordination, and clearly establishes the power and dignity of the British legislature.

The late general Congress, nay each colony separately, expressly acknowledge constitutional subjection to the king, who is subject to the law, which is the legislature. *Vide* what freeholders catechism says, and all eminent writers, to whom

the most zealous enthusiastic, perhaps well-meaning colony partizans often appeal; nay, each assembly have expressly acknowledged power of British legislature for the navigation act, and of which small, if any abuse has been made, and may, if any, be now rectified; therefore not becoming rational men, far less relations or friends, though not nearly connected, to quibble stubbornly about punctilios, or apprehend unjust, injurious designs; like polemic or metaphysical writers, who have occasioned persecutions, scepticism, infidelity, nay, practical atheism; thereby preventing essential good, and causing essential, extensive evil: therefore, condescensions from king, or legislature, should be highly valued. Pray consider the fate of Poland by their unhappy differences, chiefly occasioned by clergy and blind enthusiasts. Strong public resolves and injunctions against sentiments of any intending hurt to the other, may prevent much mischief. There cannot be much cause to suspect hurt from Britain, their experienced justice, nay, interest forbid it. In the Congress letter to the English, they

strongly

strongly acknowledge their justice and generosity, nay, appeal to it ; besides, many British and Irish have large fortunes and connections in colonies, and will probably have more ; and the colonies have many natives in parliament, and others of extensive influence in Britain, besides their own provincial agents to obstruct it. By some articles of trade, bounties from Britain, emigrations of people, &c. the parent is weakened, and colonies are evidently improved ; therefore justice, affection, nay, generosity, ought to induce them to aid the parent. This or that side of the Atlantic, themselves allow and argue, do not dissolve or alter connections and obligations. They expressly desire only to be free as English, then shall esteem hearty union as greatest glory and happiness, and shall contribute all in their power to welfare of the empire, and consider British enemies as their own, and British interests as their own. If they act consistently, and clergy and laity not subject themselves to the imputation of want of integrity and honesty ; if their conduct be strictly agreeable to their professions, quibbles will not

prevent a happy accommodation : if they are false or stubborn, and unhappy consequences ensue, such unhappy events are justly imputable to the transgressors.

However the British may be deficient in morals, piety, and religion, it can be justly said, there exists with them moderation and candour, therefore no just ground for stubborn jealousies. Prudence should not therefore lose or hazard all, because either side cannot get their whole will. Like weak and wicked zealots of most denominations, who would rather people attended no worship, if they did not confine themselves to their sect ; but all reasonable, unprejudiced persons, will estimate all, not according to assumed characters or professions, but real practice. All who call themselves patriots, are not so. The tree is best known by its fruit ; hobgoblins and chimeras of enthusiasts, or affected zealots, always suspecting evil designs, and partial iniquitous injuries, are not always the best citizens. Let your light so shine before men, that they seeing *your good works*, &c. here is the

the proper test of good principles. If these, *or such* just maxims and considerations had their just effect even in any tolerable degree, they must remove all obstacles to a happy establishment, for the good of the whole and every branch of the family. I cannot avoid viewing it constantly as one family, and we know what is said from undeniable authority, *a house divided*. Besides other evident benefits of union, the general, even special, public expence would be evidently much diminished; no occasion for sending revenue officers, or armies or navies to America, unless called for occasionally for its defence, of which small, if any probability occurs; their militia are numerous and brave for internal security; our fleets can effectually defend coasts and trade. *The last peace, be it good or bad*, removes foreign enemies from behind, and renders boundaries clear: some prudence, justice, and good policy, will secure peace with the Indians, who are useful in trade of furs, &c. and may be made much more so in many particulars, in discovery of
dyes,

dyes, drugs, spiceries, minerals, valuable timber, &c. &c.

Both sides should consider the evident benefits of union, and possible injuries from continued contests. Britain as it can effectually protect the trade of America, can certainly destroy it, though at a large expence to itself; foreigners will rejoice at, and prompt and aid the contest, and profit from the hurt, nay ruin of either or both. Each side must own, better half a loaf than none, or even to hazard the half; and to insure execution of covenants in any new establishment, there is no danger to give casual limited powers to Britain, though it was not due in complaisance, or as a parent; for the reasons mentioned, probably secure against any abuse of it; every possible means should be tried to prevent extremities—Even France, a despotic state, to cure past disputes and prevent future, have lately compromised matters by a new establishment with her parliaments. Therefore all, peculiarly all clergy, the peculiar servants of the God of Peace, are bound to labour zealously for peace,

peace, the best test of their being what they profess.

Whether a friendly settlement takes place or not, it merits consideration, if it would not be proper, as has been formerly suggested, to create Peers in America, or even a House of Peers in each colony, when attained to a capacity for it, to assimilate to the British constitution. If not proper at present to create a House of Peers, if all created Peers should not, in consequence, be always members of the Council, which is somewhat similar to a House of Peers; and as such creations is in power of the crown, to be increased at pleasure, it might probably check all popular extravagance, and encrease partizans for moderate measures. The prudent Dutch, have their nobles to check the anarchy of a popular government. As to the punctilios, which side shall first propose a friendly compromise; though it is doubtless due from the child to the parent, and in decent affectionate words and way; this they may pretend to have done by their address, though clearly not admissible

missible in their way ; yet if a wayward child don't see or perform his duty, nor see his true interest, it is not derogatory to the parent, but much for his honour, that he despise this punctilio, and make the proposal, to prevent the disagreeable necessity of proper correction for defect of duty, and if continued stubbornness, or their infatuation render securities necessary, such tenderness and condescension greatly justifies the parent with the whole world to inflict it ; and ought, nay probably may, for the danger of the example to themselves, prevent any countenance to such highly blameable child.

It also shews the groundlessness of all complaints of hardships and injustice done ; at least their injustice in mortifying them ; and that there is no reason to suspect any danger in future from such kind benevolent parent.

The maxims used from the Roman law, are for their wisdom and equity, adopted by all civilized nations.

It is proper to notice an evident objection to any such suggestions for a compromise, *viz.* where is the probability that any reasonable measures will be agreed to by the colonies, at least adhered to and fairly executed, when their delegates to the late general Congress, from whom somewhat moderate and discreet representations of things, even censure of what they call grievances, might have been expected, also some reasonable proposals for accommodation; in place of which, by their two letters published to Britain and Canada, and their resolves, not only virulent reflections appear in all, with destructive, at least very hurtful measures to all, to compel Britain to a total blind submission, to trust absolutely their word, what they will be pleased to do to aid their acknowledged parent; but even *blow the trumpet of rebellion* by evident incendiary suggestions, which are peculiarly laboured in letter to Canadians; a satisfactory answer to this is indeed difficult; but it is to be hoped, the acts of the Congress had not unanimous approbation amongst themselves, and far less of the people in the colonies, and will

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still less so when the heat and fever sub-
sides, which is to be hoped for without
the necessity of phlebotomy, or may think
their addresses and letters, are proposals,
however improper at present; and they
may probably think more prudently of
their own evident loss, by non-importa-
tion, resolves, &c.

There are several instances, when in
good humour, of the colonies doing truly
patriotic, nay generous things. When
people are pleased, and but seldom difficult
to please them, of which many examples
in foreign histories and our own, besides
Queen Elizabeth's reign, they are very
generous, even after strong disgusts. When
Hannibal was at the gates of Rome, the
Senate left to the people to raise money,
when they brought instantly, more than
was wanted. John the fourth, of Portu-
gal, wanted two millions for the Spanish
war, referring it, though a despot, to the
people, they gave him four millions. Our
Edward the first, in a summons to Parlia-
ment, says, *Quod omnes tangit æcunibus
probetur*; and by new agreement, we and
they

they avoid any imputation of formal repeal of any former acts of Parliament, and all their property and forfeiture's safe. But if they should reject all reasonable proposals, or fail in the performance, if a new cartel is established, we will be only where we are, with this advantage of universal approbation, for having endeavoured to prevent extremities against our perverse children; (thanks to God they are not all so) and to be hoped, the rational and dutiful will, in time, have influence with the rest to become such; or suppose an alternative was offered to them, of a proper representation allowed them, as is for Scotland; their objections of distance is ridiculous, because they have many natives and friends in Britain, out of whom to make choice; besides other friends who constantly reside in Britain, as evidently appears from the daily publications, and other appearances in their favour. And in such case, or upon increase of trade, which is certainly by agreement, many more will reside in Britain, and others have property there.

But the futility of a small representation in Parliament, is evident from the case of Scotland; by their small proportion of members, they have never received any peculiar good, nor escaped any inconvenience by it; and yet from seventy years experience, they are much benefited by the union, which trusted all to the justice and generosity of the English. The English are justly intitled to a large majority in Parliament. What then can a small proportion do, unless *a vote by one* was established; the fatal effects of which, tho' intended by a false zeal for liberty, is sadly found in Poland; therefore, not dangerous to trust to the English. Most friendly where most trusted. The intention of the above, is to endeavour to bring out from others some rational practicable plan, for accommodation in this article, the most important to the British empire; in which it is to be hoped, each side will avoid extremes to prevent extremities. It is evident from the above, &c. that both sides may be much hurt from discord, and vast gainers by amity. America kept safe by land and water, its trade and fishings,
and

and ship buildings, immensely enlarged, in place of being so totally stopped; its land and people fully employed without hurting its parent, and Britain and Ireland much relieved in taxes and expence in army, navy, &c. and in recruiting for them, and then not so much hurt by emigrations, with their trade greatly encreased. In 1744, from England only exports to America, exclusive of the West-Indies, was only 640,114*l*. and in 1758 was 1,832,948*l*. to what then, by reasonable progression, it may amount to now or in future, if not unhappily interrupted, highly merits very serious consideration; besides being supplied with all naval stores and rough materials for almost all our manufactures, and even all luxuries from our own colonies, independent of foreigners, whose interest or political views may induce them to distress us; whereas the riches of our own colonies will enrich ourselves, because all now centers here, and will continue to do so, at least for many ages to come. That the Americans proceed rashly in complaints and resolutions without foundation, is evident from General Gage's

Gage's excellent answer of the 20th of last October to Peyton Randolph, Esq; one of their capital leaders or dictators.

Popular clamour, which is a deceitful, variable mover, should not influence either side; cool reason, conscience, with the ever present eye of the Almighty, should alone be the adviser, as that alone can justify conduct at the final tribunal, and probably have the best present and interim effect.

P O S T S C R I P T.

The Leeds letter read at late meeting of American London merchants, and since published, represent on very moving terms, part, and but a small part of the important effect of a misunderstanding with America. Surely there must be a mistake in the petition from London merchants, in saying the debts due to London is only about 200,000/. for I am informed by a sensible merchant from North Britain, there is due to Glasgow alone, above
100,000/.

100,000*l.* and to the small town of Paisly, near Glasgow, above 50,000*l.* What then may be supposed probably to be due to London, besides Bristol, Liverpool, and many other trading places; and what extensive distress may justly be apprehended in Great Britain and Ireland. Some late publications in news papers, seem to represent very justly, the bad, *nay fatal* effects of the late imprudent resolves of the continental congress, for non-importation to America itself, even to the very land owners and farmers; such as might rouse and alarm any country, not infatuated or deluded by passions of prejudice or resentments, which always blind reason. The unavoidable distress to either or both countries, from the continuance of differences, but for one year, will irreparably ruin many thousands in each country, and hurt the communities in many respects, even the public revenues, more than many years can repair.

This evident consequence from differences subsisting even a short time; ought to dispel all Quixote notions, and rouse *all*
that

that mean well on both sides, to labour seriously for means and measures, for a speedy accommodation, if possible. The almost astonishing patience and good temper of the King's troops at Boston, and the respectable person who commands them, very highly respectable for his coolness and prudence, is at this time a peculiar happiness. Thanks to God, they are not commanded by those, who seem to contemn that coolness and patience, which might have shut the door against any reconciliation, and opened the flood gates for inundations of the blood of Britains, for I will still esteem the Americans as such. The news papers mentions that some publication, with rational suggestions for accommodation, would appear against return to parliament. If they had appeared before this publication, and had been tolerably probable of a favourable reception, the public should not have been troubled with these imperfect hints. If such comes forth, the suggester of these, will amply attain his full purpose.

It

It is essential for the Americans to consider what follows as well as the above.

Cujus per errorem dati repetitio est. D. 50.
17. 53.

There must be a capacity in the thing to be given ; wherefore things appointed for public use cannot be given. D. 39. 5. 39.

Gifts are forfeited for ingratitude, though not expressed in the grant. C. 8. 56. 10. If the giver is defamed, or his estate damnified by the receiver, these are legal evidences of ingratitude. To which many lawyers add, the receiver's refusal of relief to the giver, when he stands in need of it.

F I N I S.

It is essential for the Americans to consider what follows as well as the above.

Cases for execution date repetitive of D. 20.

17. 23.

There must be a capacity in the thing to be given; wherefore things appointed for public use cannot be given. D. 30. 5. 30.

Gifts are forfeited for ingratitude, though not expressed in the grant. C. 8. 50. 10. If the giver is deceased, or his estate damaged by the donee, there are legal evidences of ingratitude. To which many lawyers add, the refusal of relief to the giver, when he stands in need of it.